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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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EXAMINER

ALEXANDER REINDOR, NAA OBOSHIE C

ART UNIT PAPER NUMBER

2671

DATE MAILED: 07/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/714,941

Applicant(s)

ASTALA ET AL.

Examiner

Naa-Oboshie Alexander-Reindorf

Art Unit

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- ☐ Interview Summary (PTO-413) Paper No(s). _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,2, 4-10, 12-20, 22-29,31-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Ballare (#6208329).

- a. As per claim 1,2, 19, 20, Figure 5 of Ballare teaches a method of inputting data using a touch screen comprising detecting: an object touching the screen; the location – the x,y coordinates- of the object on the touch screen; and when the object is no longer touching the screen; detecting when the object is no longer touching the touching screen and measuring a time duration between the aforementioned events; and determining inputted data based on the detected location of the object on the touch screen and measured time duration (column 5, line 10-26).

As per claim 4,5, 22, 23, 31,32, at column 5, line 62 – column 6, line 5 Ballare teaches a method wherein detecting that the object is touching the screen comprises detecting a pressure of the object on the touch screen.

As per claims 6-8, 24-26, at column 5 line 11-15, Ballare teaches a method of measuring the time duration from when the object is touching the

touch screen until it is no longer touching the touch screen and determining its relation to a predetermined (pre-selected) time range (period).

As per claims 9, 10, 28,29, Figure 1 of Ballare teaches an apparatus for inputting data using a touch screen comprising detectors for: touch of an object on the screen; the location – the x,y coordinates- of the object on the touch screen; and when the object is no longer touching the screen; detecting when the object is no longer touching the touching screen and measuring a time duration between the aforementioned events; and a data determining unit for determining inputted data based on the detected location of the object on the touch screen and measured time duration.

As per claims 12 and 13, Figure 1 of Ballare teaches an apparatus wherein a touch detector detects the pressure of the object on the touch screen.

As per claims 14-16, 33-35, Figure1 of Ballare teaches an apparatus to perform the method of measuring the time duration from when the object is touching the touch screen until it is no longer touching the touch screen and determining its relation to a predetermined (pre-selected) time range (period).

As per claims 17, 18, 27, 36 Figure 1 of Ballare teaches the method and apparatus wherein the detected object touching the screen is a finger.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 11, 21 and 30, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ballare (#6208329) in view of Yamade et al. (#5959615). Ballare has been discussed above. At column 7, lines 39-46, Yamade et al. teach a method and apparatus wherein the x and y coordinates correspond to a particular file location (processing operation required by position). It would have been obvious to one of ordinary skill at the time of the invention to incorporate the teaching of Yamade et al. into the method of Ballare because this would allow different processing operations to occur (as taught by Yamade et al.) based upon a corresponding touch input (as taught by Ballare).

Claims 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ballare (#6208329) in view of McCain et al. (#5959615). Ballare has been discussed above. As shown in Figure 1, McCain et al. teach an apparatus wherein the input terminal is a wireless terminal and the server receives information from a tool on the input device. It would have been obvious to incorporate the apparatus of McCain et al into that of Ballare because this would have provided a means freedom in providing the input from a remote location.

Conclusion

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Naa-Oboshie Alexander-Reindorf** whose telephone number is **703-305-3897**. The examiner can normally be reached on Mondays-Thursdays from 8:30 – 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached at 703-305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

NAR
July 12, 2002



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600